

Stephen & Christine Valentine  
P.O. Box 547  
Birney, MT. 69012

Kenneth Blodgett  
Surface Transportation Board  
Case Control Unit  
Washington, DC. 20423

November 21, 2004

Dear Mr. Blodgett –

Please find attached 3 copies of the comments that I presented at the Ashland Hearing re: the Tongue River Railroad on November 17, 2004.

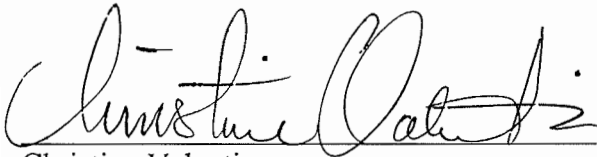
Once more thank you very much for holding a meeting in our area. It was appreciated.

Yours sincerely,



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Stephen Valentine



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Christine Valentine

CV/cv  
cc: file

**Stephen and Christine Valentine**  
**Box 547**  
**Birney, MT. 59012**

To: Surface Transportation Board  
Case Control Unit  
Washington, DC. 20423  
STB Docket No FD 30186 (Sub-No.3)

COMMENTS ON DRAFT SUPPLEMENTAL  
ENVIRONMENTAL IMPACT STATEMENT  
**TONGUE RIVER III**

I – OVERALL CONCERNS:

- a) The DSEIS has been constructed over a period of time and in separate stages. The final route is not yet decided. Data used are from other studies and not new or pertinent to the whole route of the TRRR.
- b) With the advent of Coal Bed Methane development in the proposed area new studies are needed to determine the effects of both the TRRR/ Mining and CBM simultaneously.
- c) The DSEIS does not establish any precedent for railroad development when the mines to be served already have existing transportation available. Fig 2-1 No new mining permits have been issued for the area to be served by TRRR in Montana.
- d) The railroad is slated to serve the Decker mine, which is due to exhaust its supply of coal within the next 10 years.
- e) The DSEIS plans for coalmines in the Otter Creek area at the beginning of the study **but supplies no data on the impact of the mines and Railroad in the Otter Creek area throughout the rest of the Impact Statement.**
- f) 4 -162 Employment estimates the losses and gains to employment in the area. No mention is made of the economic impact of the movement of those jobs to other areas; i.e. tax losses to the towns of Forsyth and Miles City and loss of trade to the stores in those same towns when a large number of families exit to employment in other towns.  
\*NO MENTION IS MADE OF THE LOSS OF JOBS IN WYOMING DUE TO SHIFTING THE ROUTE OF TRANSPORTATION.  
\*\* NO MENTION IS MADE OF THE IMPACT OF THE RAILROAD ON THE EXISTING MINES AT COLSTRIP WHICH WILL UNDOUBTEDLY BE IMPACTED
- g) Water needed for construction is to be taken from the Tongue River reservoir and the Tongue River. Given the extent of the drought of the last 5 years it would stretch resources far too much and endanger water reserved for agricultural purposes. Back-up plans cite the Northern Cheyenne water agreement however if the water is just not available, this plan is useless.

- h) Landowners have yet to be approached by the TRRR Co regarding waivers for construction. The TRRR Co has no permits to build, by the time these are obtained a new EIS will be needed.

## 2 – SPECIFIC CONCERNS:

- a) 2-3 This project is being “billed” as being needed by Montana, however fully half the trains will carry Wyoming coal from the Gillette area which is already served by an existing railroad. Who stands to gain from moving Wyoming coal through Montana? Mostly it will be Coal Brokers who can reap higher profits per ton. You can be sure the price of coal at the end of the route (Minnesota) will not reflect the saving from the new routing!
- b) The study does not seem concerned with the amount of sediment/erosion taking place during the construction phase. The climate is such that we have drought, often followed by violent thunderstorms with heavy rain, giving rise to “gully washers.” The impact of soil erosion from construction sites being carried into the Tongue during these storms, may be to create banks of soil in the river bed changing the flow and quality of water.
- c) Eagle habitat 4 -10 is widely discussed in the study but only in terms of disturbing nesting sites on or near the proposed alignment. Eagles have a very wide flight path up and down the Tongue River and this should be considered as a whole rather than piecemeal. There were Bald Eagles nesting in this area when they were on the endangered species list. The Tongue River eagles helped to re-populate the species as a whole and that should not be underestimated, we still need to preserve Eagle habitat as far as is possible. NO mention is made of the Golden Eagle population in this area.
- d) 4-3 What does the study mean when it cites that hunting access “will be almost fully restored”? How much access will be lost to hunters? This needs to be more fully explained.
- e) 4-3 Biological Resources were poorly assessed throughout the study – helicopter studies alone are not enough to assess the habitats in this area, The SDEIS states that further studies will be done prior to construction. ALL DATA needs to be collected and fully assessed **BEFORE** any permission is given to construct the railroad. The TRRR Co is made the responsible party for these new studies – we need a completely **unbiased** agency to perform these studies.
- f) 4-3 Wildlife studies make little mention of the PELICAN population in the Tongue River during the summer months. Originally confined to the reservoir, the pelican flocks are observed feeding in the river for the last fifteen years, as far as the Birney town-site and possibly further north.

- g) The site of the Battle of Wolf Mountain does not receive enough attention in the study. A National Historic site, the last study conducted by Jeffrey Pearson states that the site:

“spans the width of the Tongue River for approximately two and one half miles, and extends along the axis of the River about two miles”

We simply do not understand how the DSEIS can claim that the battlefield will not be affected by construction, especially considering access roads for equipment.

- h) The study makes no mention of any displacement of land due to access roads for heavy equipment. Construction of the railroad will not occur in a vacuum.
- i) 4-162 Employment is seen as a positive for the area, however no mention is made of support services such as those of Police. These will have to be provided from the taxpayer base. The construction phases of Colstrip I&II brought with it an increase in use/ and sale of drugs to the area and more police were needed.

#### RECOMMENDATIONS:

A more inclusive EIS should be undertaken **only after** the TRRR Co has all the permits necessary to building the TRRR and should include the whole of the route planned – Decker to Miles City. The new study should be more sensitive to the Site of the Battle of Wolf Mountain and its environs. It should be performed by an agency that does not stand to benefit financially from building the railroad.

The new EIS MUST include Coal Bed Methane Development plans for the area TOGETHER with the proposed entire routing and the combined effects of both industries on the Tongue River Valley.

If mining is planned for the Otter Creek tracts then the impact of branch lines into that area needs to be included.

A more extensive exploration of the effects of shifting employment patterns for railroad workers and their families is essential to a further study.

New EIS must answer the questions:

1. Where will water for the construction phase be obtained if the reservoir and Tongue River maintain the same drought status as the last five years? There is simply not enough to service all parties that need water from the river.
2. How will the Tongue River be affected by erosions from construction sites in violent storms and flooding?
3. How will aquatic life and farming be affected by the levels of soil erosion in the water planned by the TRRR Co?

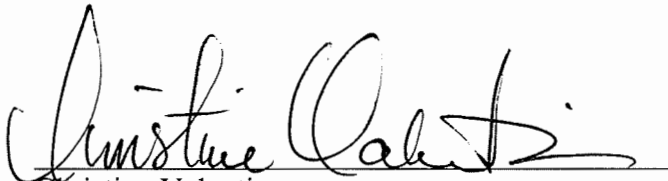
4. How will employment and coal production in the mining operations at Colstrip be affected by TRRR?

Respectfully submitted by:



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Stephen Valentine III



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Christine Valentine

11/17/04